



## UNITED STATES DEPARTMENT OF COMMERCE

## Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

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Washington, D.C. 20231

RECEIVED MAR 15 2001

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/700649	FREEMAN	N 001394 JNL

FACTOR & PARTNERS  
SUITE 300  
100 WEST MONROE STREET  
CHICAGO, IL 60603

INTERNATIONAL APPLICATION NO.	
PCT/GB99/01379	
I.A. FILING DATE	PRIORITY DATE
18 MAY 99	18 MAY 98
DATE MAILED: 09 MAR 2001	

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
  - ☒ an Elected Office (37 CFR 1.495):
  - ☒ U.S. Basic National Fee.
  - ☒ Copy of the international application in:
    - ☐ a non-English language.
    - ☒ English.
  - ☐ Translation of the international application into English.
  - ☒ Oath or Declaration of inventors(s) for DO/EO/US.
  - ☐ Copy of Article 19 amendments.
  - ☐ Translation of Article 19 amendments into English.
  - ☒ The International Preliminary Examination Report in English and its Annexes, if any.
  - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
  - ☒ Preliminary amendment(s) filed 16 NOV 2000 and                     .
  - ☐ Information Disclosure Statement(s) filed                      and                     .
  - ☐ Assignment document.
  - ☐ Power of Attorney and/or Change of Address.
  - ☐ Substitute specification filed                     .
  - ☐ Verified Statement Claiming Small Entity Status.
  - ☒ Priority Document.
  - ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
  - ☒ Other: *Published IA does not have drawings, but the drawings are submitted separately with no explanation.*
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
    - ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)). **PREPAID**
3. Additional claim fees of \$                      as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Shakeel Ahmed

Telephone: 703-305-3659

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/700649	FREEMAN	N 001394
INTERNATIONAL APPLICATION NO.		
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18 MAY 99	18 MAY 98	

FACTOR & PARTNERS  
SUITE 300  
100 WEST MONROE STREET  
CHICAGO, IL 60603

DATE MAILED: 09 MAR 2001

#### NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the specification to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the city and state or city and foreign country of residence or each inventor.
2. ☐ does not state that the person making the oath or declaration:
  - a. ☐ has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
  - b. ☐ acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4. ☐ does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).

Shakeel Ahmed

Telephone: 703-305-3659

FORM PCT/DO/EO/917 (September 1996)

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IN THE  
UNITED STATES  
PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Freeman et al.

CASE: 001394

SER. NO.: 09/700,649

FILING DATE: November 16, 2000

FOR: MICROELECTRODE SYSTEM

RESPONSE TO  
NOTIFICATION OF  
MISSING  
REQUIREMENTS UNDER  
35 U.S.C. 371

ASSISTANT COMMISSIONER  
FOR PATENTS  
Washington DC 20231

ATTENTION OF:

EXAMINER:

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

This is in response to the Notification of Missing Requirements, mailed March 9, 2001, a copy of which is attached.

The Notice indicated that the executed declaration was missing. In response, Applicant herewith submits the fully executed declaration along with a Request for Two-Month Extension of Time and a check for the small entity extension in the amount of \$195.00. Accordingly, all outstanding missing parts identified in the Notice are submitted herewith, along with the appropriate extension of time fee.

05/25/2001 UEDUVIJE 00000046 09700649

01 FC:216

195.00 OP

FACTOR & PARTNERS, LLC  
1327 West Washington Blvd., Suite 5G/H  
Chicago, IL 60607  
(312) 226-1818

Jody L. Factor  
Jovan N. Jovanovic  
William L. King

34157  
40039  
46830

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully solicited.

Respectfully submitted,

FACTOR & PARTNERS, LLC

Dated: May 18, 2001

  
Jovan N. Jovanovic  
One of Applicant's Attorneys

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Patent Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on May 18, 2001.

Jovan N. Jovanovic

Name of Applicant, assignee, applicant's attorney or Registered Representative

  
Signature



**IN THE  
UNITED STATES  
PATENT AND TRADEMARK OFFICE**

**IN RE APPLICATION OF:** Freeman et al.

**CASE:** 001394

**TWO-MONTH  
EXTENSION OF TIME**

**SERIAL NO.:** 09/700,649

**FILED ON:** November 16, 2000

**FOR:** MICROELECTRODE SYSTEM

ASSISTANT COMMISSIONER  
FOR PATENTS  
Washington DC 20231

**ATTENTION OF:**

**EXAMINER:**

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

In accordance with 37 C.F.R. Section 1.136, Applicant respectfully requests an extension of the period in which to file the response to the Notification to Missing Requirements mailed March 9, 2001, regarding the above-identified patent application, for an additional two months, from April 9, 2001, up to and including June 9, 2001.

In accordance with 37 C.F.R. Section 1.136, Applicant respectfully submits that a response was originally required to be filed on April 9, 2001, a period of one month from the mailing date of the Notice; that the above-identified patent application is not involved in an interference proceeding; and that the Applicant herewith submits the two-month small entity Extension of Time fee of \$195.00, pursuant to 37 C.F.R. Section 1.17(a).

**FACTOR & PARTNERS, LLC**  
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Applicant accordingly petitions for acceptance of the presently requested two-month extension of time.

Should anything further be required, a telephone call to the undersigned, at (312) 226-1818, is respectfully invited.

Respectfully submitted,

FACTOR & PARTNERS, LLC

Dated: May 18, 2001



Jovan N. Jovanovic  
One of Attorneys for Applicant

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on May 18, 2001.

Jovan N. Jovanovic

